United States District Court

for the

Eastern District of New York

| BRIAN FISCHLER, Individually and on behalf of all other persons similarly situated, |))) | |
|---|------------------|----------|
| Plaintiff(s) |) | |
| v. | Civil Action No. | 22cv1786 |
| |) | |
| |) | |
| Cirkul, Inc. d/b/a Cirkul |) | |
| |) | |
| Defendant(s) |) | |

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Cirkul, Inc. d/b/a Cirkul C/o Andrew Gay 4456 Eagle Falls PL Tampa, FL 33619

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Christopher H. Lowe Lipsky Lowe LLP 420 Lexington Avenue, Suite 1830 New York, New York 10170-1830 212.392.4772

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date:

Brenna B. Mahoney

CLERK OF COURT

/s/Priscilla Bowens

Signature of Clerk or Deputy Clerk

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

| was re | This summons for <i>(nam</i> ceived by me on <i>(date)</i> | ne of individual and title, if any) | | | |
|--------|--|--|---|----------|-----|
| | ☐ I personally served | the summons on the individ | <u> </u> | ; or | |
| | ☐ I left the summons | | on (date) or usual place of abode with (name) erson of suitable age and discretion who re | | |
| | on (date) , and mailed a copy to the individual's last known address; or | | | | |
| | | ons on (name of individual) accept service of process on | behalf of (name of organization) | , who is | |
| | | | on (date) | ; or | |
| | ☐ I returned the summ | nons unexecuted because | | ; or | |
| | ☐ Other (specify): | | | | |
| | My fees are \$ | for travel and \$ | for services, for a total of \$ | 0.00 | _ • |
| | I declare under penalty | y of perjury that this informa | ation is true. | | |
| Date: | | | Server's signature | | |
| | | | Printed name and title | | |
| | | | Server's address | | |

Additional information regarding attempted service, etc:

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